

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

DANIEL THIBAUT ET AL

DIVISION OF APPLICATION NO: 09/059,148

FILED: CONCURRENTLY HEREWITH

FOR: PREPARATION OF LOW-DUST

STABILISERS

Group Art Unit: 1714

Examiner: K. Sanders

Assistant Commissioner for Patents

Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Kindly amend this application as follows prior to calculation of the filing fee and consideration on the merits.

**IN THE CLAIMS**

Please cancel claims 1-5.

Kindly replace claims 9, 10 and 17 by the following claims.

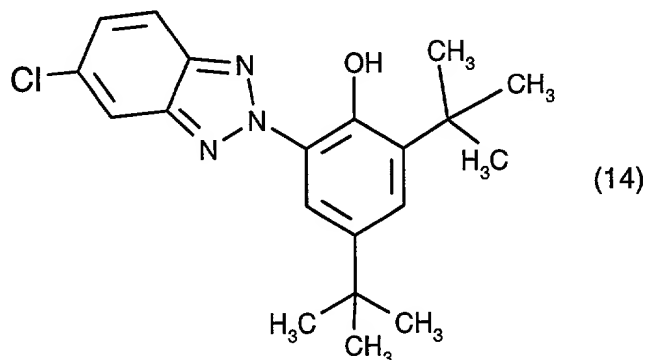
9. (amended) A process for the preparation of a subcooled melt according to claim 7, which comprises rapidly cooling the melt to a temperature from the regular melting point to the glass transition temperature of the homogeneous phase.

10 (amended). A process for the preparation of the amorphous solid according to claim 7, which comprises chilling the melt or subcooled melt according to claim 7 to a temperature below its glass transition temperature.

17 (amended). A composition, which comprises

A) an organic material susceptible to oxidative, thermal or/and actinic degradation or build-up, and

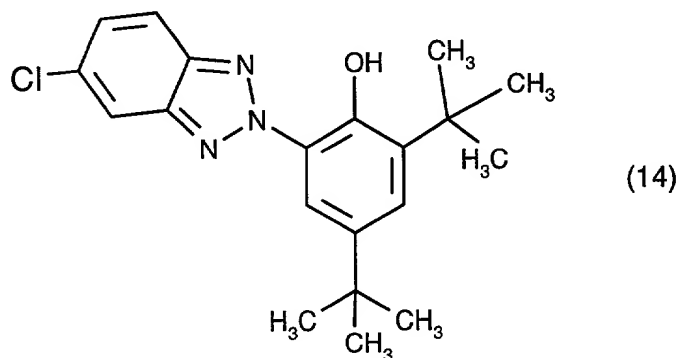
B) the amorphous form of a compound according to claim 7, the  $\beta$ -crystalline form of compound 14



characterised by interplanar spacings at  $9.4 \cdot 10^{-10}$  m,  $4.69 \cdot 10^{-10}$  m,  $3.94 \cdot 10^{-10}$  m and  $3.79 \cdot 10^{-10}$  m and/or the stabiliser composition which comprises a) pentaerythritol-tetrakis(3-[3',5'-di-tert-butyl-4'-hydroxyphenyl]propionate), and b) a compound of the benzofuran-2-one type as stabiliser.

18 (amended). A process for stabilising organic material against oxidative, thermal or actinic

degradation or build-up, which comprises adding to the material the amorphous form of a compound according to claim 7, the  $\beta$ -crystalline form of compound 14



characterised by interplanar spacings at  $9.4 \cdot 10^{-10}$  m,  $4.69 \cdot 10^{-10}$  m,  $3.94 \cdot 10^{-10}$  m and  $3.79 \cdot 10^{-10}$  m and/or the stabiliser composition which comprises a) pentaerythritol-tetrakis(3-[3',5'-di-tert-butyl-4'-hydroxyphenyl]propionate), and b) a compound of the benzofuran-2-one type as stabiliser.

Please add the following claims.

--22 (new). Granules obtained by a process which comprises extruding a subcooled melt consisting essentially of an organic compound having a molecular weight of 200 to 1500 g/mol, or the plastic composition consisting of the mixture of the subcooled melt and a further component, which is selected from compounds of the subcooled melt in crystalline form and other conventional additives.

23 (new). A process for the preparation of a subcooled melt of a mixture comprising a subcooled melt according to claim 8, which comprises rapidly cooling the melt to a temperature from the regular melting point to the glass transition temperature of the homogeneous phase.

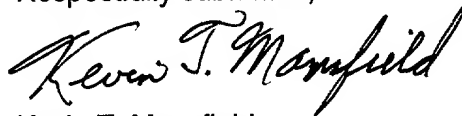
24 (new). A process for the preparation of a mixture comprising an amorphous solid according to claim 8, which comprises chilling a subcooled melt according to claim 8 to a temperature below its glass transition temperature.--

#### REMARKS

Claims 6-24 are pending. Claims 9, 10 and 17-18 have been amended by replacement. Said claims have been amended to reduce filing fees by eliminating multiple dependency and to provide minor clarification. No other claims have been amended. Another version of the amended claims, showing the changes relative to the previous version, is appended. Additions are shown by underlining. Deletions are shown by strikethrough rather than bracketing since the claims may contain bracketing that is to remain.

Newly added claims 22-24 are supported by originally filed claims 1, 5, 9 and 10. No new matter has been added. Applicants aver that the claims are now in proper form for examination. An Action on the merits of the claims is respectfully awaited.

Respectfully submitted,



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## Marked-up Version of Amended Claims

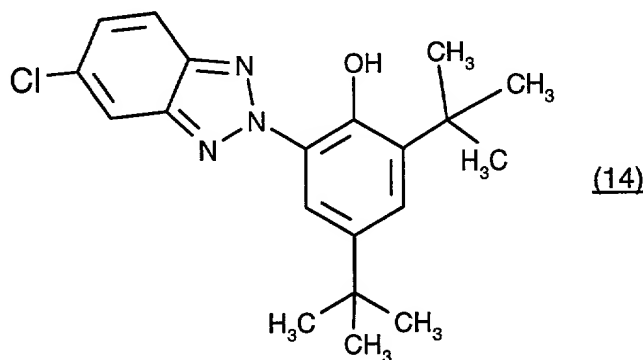
9. (amended) A process for the preparation of a subcooled melt according to claim 7 ~~or of a mixture comprising a subcooled melt according to claim 8~~, which comprises rapidly cooling the melt to a temperature from the regular melting point to the glass transition temperature of the homogeneous phase.

10 (amended). A process for the preparation of the amorphous solid according to claim 7 ~~or of a mixture comprising an amorphous solid according to claim 8~~, which comprises chilling the melt or subcooled melt according to claim 7 to a temperature below ~~the~~its glass transition temperature.

17 (amended). A composition, which comprises

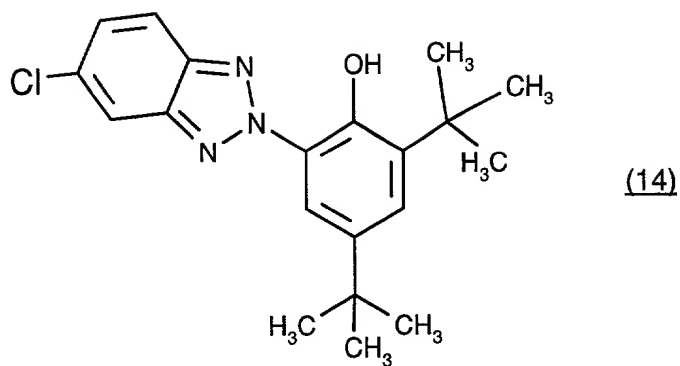
A) an organic material susceptible to oxidative, thermal or/and actinic degradation or build-up, and

B) the amorphous form of a compound according to claim 7, the  $\beta$ -crystalline form of compound 14



characterised by interplanar spacings at  $9.4 \cdot 10^{-10}$  m,  $4.69 \cdot 10^{-10}$  m,  $3.94 \cdot 10^{-10}$  m and  $3.79 \cdot 10^{-10}$  m according to claim 11 and/or the stabiliser composition according to claim 16 which comprises a) pentaerythritol-tetrakis(3-[3',5'-di-tert-butyl-4'-hydroxyphenyl]propionate), and b) a compound of the benzofuran-2-one type as stabiliser.

18 (amended). A process for stabilising organic material against oxidative, thermal or actinic degradation or build-up, which comprises adding to the material the amorphous form of a compound according to claim 7, the  $\beta$ -crystalline form of compound 14




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